United Nations A/60/185

General Assembly

Distr.: General
2 August 2005
English
Original: English/French/Russian/
Spanish

Sixtieth session
Item 98 (p) of the provisional agenda*
General and complete disarmament

Measures to prevent terrorists from acquiring weapons of mass destruction

Report of the Secretary-General**

Contents

		Paragraphs	Page
I.	Introduction	1–3	3
II.	Replies received from Member States		3
	Bolivia		3
	Chile		4
	Guatemala		4
	Iran (Islamic Republic of)		5
	Mexico		9
	Norway		10
	Russian Federation		11
	Switzerland		12
	Venezuela (Bolivarian Republic of)		14
III.	Information received from international organizations	4–57	14
	A. United Nations system	5–35	14
	International Atomic Energy Agency	5–29	14

* A/60/150.

** The document was submitted late to the conference services without the explanation required under paragraph 8 of General Assembly resolution 53/208 B, by which the Assembly decided that, if a report is submitted late, the reason should be included in a footnote to the document.

05-45072 (E) 290805 010905

International Civil Aviation Organization 30–32 17
International Maritime Organization 33 18
United Nations Office on Drugs and Crime 34–35 18
B. Other international organizations 36–57 18
International Centre for Genetic Engineering and Biotechnology 36–37 18
Interpol 38–41 19
North Atlantic Treaty Organization 42–47 19
Organization of American States 48–49 20
Organization for the Prohibition of Chemical Weapons 50–53 20
Organization for Security and Cooperation in Europe 54–57 21

I. Introduction

1. In its resolution 59/80, entitled "Measures to prevent terrorists from acquiring weapons of mass destruction", the General Assembly urged all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture, and invited them to inform the Secretary-General, on a voluntary basis, of the measures taken in that regard. The Assembly further requested the Secretary-General to compile a report on measures already taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction, to seek the views of Member States on additional relevant measures for tackling the global threat posed by the acquisition by terrorists of weapons of mass destruction, and to report to the Assembly at its sixtieth session. The present report is submitted in response to that request.

2. By a note verbale dated 25 February 2005, Member States were invited to inform the Secretary-General of the measures taken, as well as to communicate their views on the issue. On 10 March, letters were also dispatched to relevant international organizations, including relevant bodies and agencies of the United Nations, inviting them to submit contributions for the preparation of the report of the Secretary-General. Organizations that had reported their relevant activities in 2004 were invited to submit only new information in relation to what they had previously submitted.

3. As at 25 July 2005, replies had been received from Bolivia, Chile, Guatemala, Iran (Islamic Republic of), Mexico, Norway, the Russian Federation, Switzerland and Venezuela (Bolivarian Republic of). Their replies are reproduced in section II of the present report. Replies were also received from 10 international organizations; their replies are summarized in section III of the present report. Any further replies received will be issued as addenda to the present report.

II. Replies received from Member States

Bolivia

[Original: Spanish]
[5 May 2005]

The General Assembly of the United Nations, in its resolution 59/80, expresses the concern of States about the risk of linkages between terrorism and weapons of mass destruction.

In this connection, Bolivia considers that although no activities related to terrorism, let alone the use of weapons of mass destruction, have been detected on its territory in the last few years, this possibility should not be ruled out given the implications of terrorism's international scope.

It is therefore necessary to strengthen national capacities to exercise effective control in this regard by establishing and fully implementing legal provisions and cooperating with international organizations.

It should be noted that the draft law on weapons, munitions, explosives and dual-use chemical agents is in the final stage of parliamentary approval. The draft law is designed to significantly improve the Government's control over the full range of operations involved in the acquisition, registration, possession, use, circulation and transfer of armaments and defines the responsibilities of each of the relevant entities. It is also intended to make a firm and transparent contribution to the effective implementation of international agreements and to the adoption of United Nations resolutions, in order to improve the fulfilment of the country's commitments with regard to the problem of weapons.

Chile

[Original: Spanish]
[13 May 2005]

Chile considers that Security Council resolution 1540 (2004) on weapons of mass destruction, non-State actors and terrorism will support effective compliance with international instruments on weapons of mass destruction and, in turn, constitutes an appropriate means of implementing them. Chile reiterates its willingness to contribute to the success of the resolution and to cooperate effectively with the Security Council Committee established pursuant to resolution 1540 (2004).

Chile is participating in the negotiations being conducted under the auspices of the International Maritime Organization with a view to amending the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Chile hopes that these negotiations will soon be brought to a successful conclusion.

In addition, Chile has always been particularly interested in the attainment of an international standards regime for the multilateral regulation of the maritime transport of spent nuclear fuel and radioactive waste. The relevant national authorities are now studying the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. Chile has acceded to the other international legal instruments relating to nuclear safety.

Moreover, the relevant national authorities are holding consultations on the International Convention for the Suppression of Acts of Nuclear Terrorism. The Convention will be opened for signature by States on 14 September 2005. It should be noted that Chile has helped to strengthen the international legal framework against terrorism by adopting the 12 counter-terrorism conventions and the respective protocols thereto.

Guatemala

[Original: Spanish]
[9 May 2005]

The Ministry of National Defence, after due consideration, offers the following comments:

(a) The State of Guatemala has no weapons of mass destruction in its arsenal, nor does it have materials and technology for their use and manufacture;

(b) The Ministry requests the Ministry of Energy and Mines to maintain appropriate controls over the radioactive material used in Guatemala for industry and for medical purposes.

Iran (Islamic Republic of)

[Original: English]
[21 June 2005]

The Islamic Republic of Iran is deeply concerned about the worldwide escalation of acts of terrorism in all its forms and manifestations. The continued existence and development of weapons of mass destruction, the possibility of use or threat of use of weapons of mass destruction and the prospect of terrorists acquiring such weapons are all the more threatening the whole international community.

The Islamic Republic of Iran as a State party to all international instruments banning weapons of mass destruction, namely the Non-Proliferation Treaty, the Chemical Weapons Convention, the Biological and Toxin Weapons Convention and the 1925 Geneva Protocol and based on its principled positions and contractual commitments, considers acquiring, developing and using weapons of mass destruction as inhumane, immoral, illegal and against its very basic principles and believes that the most effective way of preventing terrorists from acquiring weapons of mass destruction is through the total elimination of such weapons.

In this context, the Islamic Republic of Iran strongly believes that non-proliferation and disarmament are mutually reinforcing. The efforts directed towards non-proliferation should be paralleled by simultaneous efforts aimed at disarmament. The strengthening of these two concepts together would serve well in securing a world that is free from weapons of mass destruction. Attaining the universality of non-proliferation and disarmament treaties, in particular the Non-Proliferation Treaty, is a must in this regard. The Islamic Republic of Iran also views that any emphasis on the concept of non-proliferation should not divert the attention of the Member States from nuclear disarmament as the highest priority of the international community and the best guarantee against acquisition of weapons of mass destruction by terrorists.

A. Legal aspects

According to the legal system of the Islamic Republic of Iran, international conventions and treaties that are ratified by the Parliament become part of national law of the country and are therefore binding on all Iranian citizens and residents, as well as those under the jurisdiction of the State. The most important international treaties and agreements that, in this regard, are applicable in the Islamic Republic of Iran are as follows:

A.1. International agreements

1. The Treaty on the Non-Proliferation of Nuclear Weapons signed in 1969 and ratified by the Parliament in 1970;

2. The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed in 1972 and ratified in 1973;

3. The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, signed in 1993 and ratified in 1997;

4. The statute of the International Atomic Energy Agency (IAEA), ratified in 1958;

5. The IAEA safeguards agreement ratified in 1973;

6. Additional protocol to the IAEA safeguards agreement signed on 18 December 2003;

7. The International Convention for the Safety of Life at Sea ratified on 16 May 1994. Pursuant to the ratification of the Convention, its international codes including the International Ship and Port Facility Security Code, adopted on 1 July 2004, and the International Maritime Dangerous Goods Code are implemented in the Islamic Republic of Iran.

A.2. National agreements

The Islamic Republic of Iran has also enacted a set of relevant national laws and regulations banning and punishing the smuggling and illicit trafficking of any kind of weapons and ammunitions. In practice, these laws and regulations effectively prevent non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using such weapons. The relevant laws and regulations, which are effectively in force, are as follows:

1. The Law on Enhancing Penalties for the Smuggling of Weapons and Ammunition and Armed Smugglers adopted in 1971, which accordingly banned any form of production, acquisition, maintaining, purchasing, transferring, and concealment of explosive material, ammunition and weapons;

2. The Law of Custom Affairs adopted in 1971, by which import of any weapons, ammunition and explosive materials by non-State actors is banned;

3. The Law on Punishment of Weapon Smuggling adopted in 1974, which banned importing, exporting, purchasing, trafficking, concealing and maintaining illegal weapons.

B. Measures for safety and security of dangerous materials

The following laws, regulations, and procedures on safety and security of nuclear, chemical and biological materials, have been adopted and are applicable in the Islamic Republic of Iran:

1. The Law on the Establishment of the Atomic Energy Organization of Iran, adopted in 1974. According to this Law, the Atomic Energy Organization of Iran is responsible for preparing and adopting the regulations in relation to the protection against nuclear radiation and determine the methods of their supervision, as well as issuing the permission for setting up nuclear facilities in the country, in accordance with the safety and security rules and standards for such facilities;

2. All related materials and facilities are under effective protection of the relevant governmental bodies. For the purpose of the physical protection, there are existing regulations such as:

(a) Formation of the Protection Guard of the Nuclear Energy Industries, Facilities, Properties and Documents of the Atomic Energy Organization of Iran, adopted by the Council of Ministers in 1975;

(b) The Law on the Punishment of Saboteurs, adopted in 1975.

C. Control on transition

C.1. Border control

The relevant measures for border controls in the Islamic Republic of Iran are as follows:

1. According to the Customs Law, adopted in 1971, the Customs Administration is the responsible body to monitor and control import and export of all materials, equipment and goods through borders which are subject to monitoring in accordance with existing laws, regulations and procedures;

2. In order to prevent illicit import-export, the law enforcement authorities of the Islamic Republic of Iran are responsible for combating illicit trafficking and control of the State's borders, as well as implementing the border protocols and agreements;

3. The relevant regulations to control transition and transportation of goods in the Islamic Republic of Iran are as follows:

(a) The Regulation on the Trafficking and Transition of Goods through the Territory of the Islamic Republic of Iran, adopted by the Council of Ministers in 1998. According to this Regulation, the transit of chemical, biological and nuclear material is subject to observance of the legal regulations as well as obtaining the required permissions from relevant authorities;

(b) The Regulation on the Road Transportation of Dangerous Materials, adopted in 2002, according to which the road transportation of chemical, biological, and nuclear materials and equipment that are harmful and hazardous for human and animal health, as well as the environment, is subject to observance of specific legal regulations.

C.2. Export-import codification

Based on the international instruments to which the Islamic Republic of Iran is a party as well as its own national regulations, there exist necessary national control measures, including:

1. The Islamic Republic of Iran's Customs Administration implements the state laws and regulations on export-import in accordance with the Export-Import Regulations Code and its annexed tariff table. This Code is regularly updated in the light of the International Convention on the Harmonized Commodity Description and Coding System, codified by the World Customs Organization;

2. The Customs Administration is a member of the World Customs Organization (WCO) and has been implementing the Convention on the Harmonized Commodity Description and Coding System since 25 September 1993. The Customs

Administration also implements the ratified document of WCO, No. L13 dated 29 May 2002, on the list of banned chemical materials or chemical materials subject to special regulations;

3. The Customs Administration, in accordance with the 1990 Regulation on Protection against Radiation, and the latest procedures concerning sensitive radioactive materials and equipment, has established specific tariffs for such items in coordination with the Atomic Energy Organization of Iran, and monitors and controls the import-export process of such materials and equipment, and prevents their illegal import-export;

4. The Islamic Republic of Iran, in accordance with the 1993 Law on Import-Export and the approved rules of procedure of 21 April 1994 for import-export of chemicals named in the Chemical Weapons Convention, has created 11 digit tariff codes to which Iran's Customs Administration is responsible for implementing;

5. Following the ratification of the Chemical Weapons Convention by the Parliament on 27 July 1997, its focal point (national authority) was established in the Islamic Republic of Iran, with its secretariat in the Ministry for Foreign Affairs. The secretariat issues import-export licences for chemicals in accordance with the Convention and domestic laws and regulations as well.

D. New initiatives

As mentioned above, according to the legal system of the Islamic Republic of Iran, international conventions and treaties which are ratified by the Parliament become part of national law and, therefore, adopting additional legislation is not deemed necessary in this regard. However, due to the complexity of implementation of some international obligations, a number of new initiatives have been undertaken:

1. In order to facilitate implementation of the Chemical Weapons Convention, the bill of the Law of National Implementation of the Chemical Weapons Convention was presented to the Parliament for adoption in 2004. According to article 17 of the bill, possessing, acquiring, producing, developing, transferring, stockpiling, maintaining, using or threatening to use chemical weapons or collaboration in committing these acts constitute crimes, and perpetrators will be punished in accordance with the relevant regulations of the Islamic Penal Code;

2. A bill to combat terrorism was approved by the Council of Ministers on 18 November 2003 and sent to the Parliament for adoption in order to become law. In accordance with the bill, production, possession, acquiring, stealing, deceptive acquisition, illicit trafficking, transportation, stockpiling, and development of nuclear, chemical and biological materials that have no justification for prophylactic, protective or any other peaceful purposes, constitute terrorist crimes;

3. In accordance with the obligations under the Chemical Weapons Convention and with the cooperation of the Organization for the Prohibition of Chemical Weapons (OPCW), various seminars were also held by the National Authority of Iran for the industry owners and government officials who deal with the implementation of the Chemical Weapons Convention. The major goal of these seminars was to improve and update the knowledge of participants about their obligations under the Convention and inform them of the latest developments with regard to the implementation of the Convention as follows:

- Third regional meeting of national authorities of States parties in Asia, Tehran, 6-8 September 2005.
- First to sixth annual courses on the medical aspects of defence against chemical weapons; six rounds of these courses have been conducted in Tehran for the past six years consecutively.
- Seventh annual course on the medical aspects on defence against chemical weapons, Tehran, to be held in October 2005.
- First OPCW exercise on the delivery of assistance, Assistex1, Zadar, Croatia, 10 to 14 September 2003. A medical team was dispatched from the Islamic Republic of Iran.
- Second OPCW exercise on the delivery of assistance, Assistex2, to be held in Lviv, Ukraine from 10 to 13 October 2005. A medical team from the Islamic Republic of Iran will be dispatched.

Mexico

[Original: Spanish]
[16 May 2005]

Mexico remains committed to the international community's determination to combat terrorism and to apply appropriate measures to deal with the risk that non-State actors, particularly terrorist groups, might acquire weapons of mass destruction.

The Government of Mexico continues to maintain that there is unquestionably an urgent need to adopt effective measures to confront new realities, particularly the possibility of a terrorist attack involving weapons of mass destruction occurring in any part of the globe, which would seriously jeopardize regional and international security.

Mexico stresses that the best way to deal with the danger posed by weapons of mass destruction is to work towards their complete and irreversible elimination, bearing in mind that, in principle, what does not exist cannot proliferate.

In various forums, Mexico has reaffirmed its commitment to the international strategy of combating terrorism and has stressed that the most effective and conclusive strategy to eliminate this scourge is a sustained effort by the international community to combat the causes that engender, strengthen and spread this phenomenon.

On 7 December 2004, Mexico submitted its first report on the measures it has taken to establish national controls in order to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery, including by establishing appropriate controls over related materials, in accordance with Security Council resolution 1540 (2004) of 28 April 2004.

In addition, on 29 March 2004 Mexico signed an additional protocol to its safeguards agreements with IAEA, thereby demonstrating its strong commitment to ensuring that nuclear material and facilities are duly safeguarded and protected against potential diversion.

Mexico is also continuing to strengthen its national legal and administrative instruments to prevent non-State actors from being able to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them.

In performing this task, Mexico continues to systematically implement the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

In addition, in the field of nuclear weapons Mexico is complying fully with international instruments on nuclear safety and security, particularly those adopted within the framework of IAEA.

Norway

[Original: English]
[1 June 2005]

Norway welcomed the adoption of Security Council resolution 1540 (2004) and has submitted the report on Norwegian implementation of this resolution to the Security Council. Norway calls upon all United Nations Member States to do so.

Norway fully concurs with the Report of the High-level Panel on Threats, Challenges and Change (A/59/565) as well as the report of the Secretary-General "In larger freedom" (A/59/2005), which calls for a strengthening of relevant multilateral and legally binding instruments on non-proliferation and disarmament. Norway is party to the Non-Proliferation Treaty, the Chemical Weapons Convention, the Biological and Toxin Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty.

Norway calls for full universalization and full compliance with the obligations set by these treaties. Norway has supported various proposals to further strengthen the Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention, such as improved verification mechanisms.

Norway attaches great importance to the full implementation of relevant International Atomic Energy Agency instruments on nuclear security and safety. Norway has provided voluntary funding to the IAEA Nuclear Security Fund.

Norway welcomes the adoption by the General Assembly of a new convention to suppress nuclear terrorism and calls for its early entry into force.

Norway has signed the International Code of Conduct against Ballistic Missiles Proliferation and urges all United Nations Members to join this important instrument.

Norway supports and takes an active part in the Proliferation Security Initiative. Norway was the first country outside the Group of Eight to join the Global Partnership against the Spread of Weapons and Materials of Mass Destruction. Norway has been actively engaged in dealing with nuclear safety and

security issues in the north-western Russian Federation for the past 10 years. During this period, more than NOK 1 billion (approximately $150 million) has been spent on projects to improve nuclear security and safety in this area.

Norway underlines the need for effective export control in denying terrorists access to weapons of mass destruction and their means of delivery. Norway plays an active role in different export control regimes such as the Nuclear Suppliers Group, the Zangger Committee, the Wassenaar Arrangement and the Australia Group. Norway encourages all United Nations Member States to follow to the guidelines and recommendations from these regimes.

Russian Federation

[Original: Russian]
[26 May 2005]

The Federal Atomic Energy Agency of the Russian Federation (Rosatom) is the central State authority and point of contact in accordance with the 1979 Convention on the Physical Protection of Nuclear Material as well as the national body responsible for implementing the Russian Federation's obligations in the area of ensuring the physical protection of nuclear material.

Significant importance is attached to cooperation with IAEA in the following areas:

- Participation in the drafting of international instruments in the area of physical protection;
- Exchange of information with IAEA and countries parties to the Convention on the Physical Protection of Nuclear Material in the area of physical protection;
- Participation in providing consultation services to countries parties on matters of physical protection, including missions of the IAEA International Physical Protection Advisory Service;
- Participation in work organized by IAEA to train specialists in the area of physical protection.

A draft amendment to the Convention on the Physical Protection of Nuclear Material has now been prepared with the active participation of Russian experts. The adoption of that amendment, which, as expected, will take place during the Conference in July 2005, will significantly broaden the scope of the Convention and be an important step towards strengthening the physical protection regime in the world.

Of particular significance is the IAEA Illicit Trafficking Database programme. The Russian Federation has announced its accession to the programme and participates in an exchange of information.

Significant importance is attached to the training and advanced training of Russian and foreign specialists in the area of physical protection at the Rosatom Intersectoral Special Training Centre in Obninsk.

With the support of IAEA, the Centre has conducted five international courses on physical protection. Since 2001, specialists have been trained within the framework of these courses, including managerial personnel, from 17 countries. The sixth course will be conducted at the end of May 2005.

A demonstration laboratory for foreign-made physical protection equipment is now being established in the Centre (with the help of IAEA).

Furthermore, there is strong bilateral international cooperation with the United States of America and member countries of the European Union to enhance physical protection.

Twenty-one nuclear-hazardous facilities in the Russian Federation are now cooperating at the international level in the area of physical protection. Among them are such large enterprises as the Mayak Production Association and the Siberian Chemical Complex, which have significant amounts of nuclear materials of various categories and also nuclear installations for various purposes.

Switzerland

[Original: French]
[27 May 2005]

Switzerland's policy on weapons of mass destruction

Switzerland does not provide any form of support to non-State actors likely to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. Any such support would be contrary to Swiss legislation, Switzerland's international obligations and the policy which it pursues at the international level.

1. National legislative bases

Article 7 of the Federal Law of 13 December 1996 concerning war materiel prohibits "the development, manufacture, procurement as intermediary, acquisition, delivery to any destination, import, export, carriage in transit or storage of nuclear, biological or chemical weapons or disposition of such weapons in any other way".

The same article contains a prohibition on inciting any person to commit any of the acts mentioned above or facilitating such commission. This prohibition also applies to acts committed abroad if such acts violate international legal agreements to which Switzerland is a party and if the perpetrator is Swiss or domiciled in Switzerland.

The maximum penalty for violation of the comprehensive prohibition of weapons of mass destruction is imprisonment for 10 years and a fine of 5 million Swiss francs. Attempted violation and participation in a violation are also punishable by law.

2. Fulfilment of Switzerland's international commitments

Switzerland complies with the most recent international rules on control of the export and on the security of materials which are dangerous and/or critical from the standpoint of the proliferation of weapons of mass destruction:

(a) Switzerland is a party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention. It is a member of OPCW and has concluded and brought into force a safeguards agreement with IAEA. Pursuant to these international instruments, enterprises and institutions working in the nuclear, chemical or biological fields are obliged to report on their activities and to undergo inspections by international inspectors;

(b) On 16 June 2000 Switzerland signed an additional protocol to its IAEA safeguards agreement, which entered into force on 1 February 2005;

(c) Switzerland is a party to the Convention on the Physical Protection of Nuclear Material of 3 March 1980;

(d) Switzerland has established an advanced system of controls at its borders and within the country to combat illicit trafficking in controlled goods and technology. The police authorities recently introduced a prevention programme designed to enhance the vigilance of enterprises working in fields which are critical from the proliferation standpoint. The control authorities maintain close links with their counterparts in other countries with regard both to the prevention and to the suppression of illicit trafficking with a view to proliferation;

(e) Switzerland is a member of the export control bodies for weapons of mass destruction, i.e. the Nuclear Suppliers Group, the Zangger Committee, the Australia Group and the Missile Technology Control Regime. It has incorporated into its national legislation the export directives and control lists issued by these bodies. Accordingly, an individual or general export licence is required for any export of a controlled item. A licence is refused if such export is incompatible with Switzerland's international obligations, the non-legally-binding international control measures to which Switzerland subscribes or embargo measures, or if there are grounds for believing that the items in question would be used for the purposes of terrorism or organized crime;

(f) The Order on the control of such goods also contains a "catch-all" clause obliging the exporter of a non-controlled item to obtain authorization for the proposed export if he knows or has been informed by the competent authorities that the item in question is or may be intended for a programme for the production of weapons of mass destruction or their means of delivery;

(g) With a view to preventing the transport of weapons of mass destruction, their means of delivery and related materials to or from States and non-State actors, Switzerland upholds the principles of the Proliferation Security Initiative and cooperates closely with the other States participating in this initiative;

(h) With regard to the international initiatives launched as part of the global campaign against the proliferation of weapons of mass destruction, in May 2003 Switzerland joined the Group of Eight Global Partnership and is active in global chemical disarmament efforts.

Venezuela (Bolivarian Republic of)

[Original: Spanish]
[16 May 2005]

The Bolivarian Republic of Venezuela has reiterated in various multilateral forums its commitment to combating terrorism. It realizes that that task has taken on new urgency in recent years, as terrorism threatens the security and stability of States and has become an even greater concern in the light of the possibility that terrorist groups might have access to nuclear, chemical or bacteriological materials.

For these reasons, effective measures against terrorism are essential for building a more stable and peaceful world. It is incumbent upon everyone in the international community to act without delay to prevent extremist circles from gaining access to materials which could be used as weapons of mass destruction.

The Bolivarian Republic of Venezuela has taken a number of specific steps in this regard, including the 2004 expression of support for the work of IAEA on safeguarding radioactive sources. Furthermore, last year, it furnished OPCW with declarations regarding the use, import and export of certain chemicals which that international organization monitors.

Also worthy of note is the presidential decree of 19 November 2004 on the preparation and implementation of a special anti-terrorism plan (Official Gazette No. 38, 070 of 22 November 2004) aimed at preventing acts of terrorism and identifying any terrorist networks within the country. The decree also calls on the National Assembly to speed up the adoption of legal instruments connected with the prevention and punishment of such acts.

III. Information received from international organizations

4. The summaries in the present section, describing measures taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction, are based on the replies received from the respective organizations. Full versions of the inputs are available from the Department for Disarmament Affairs of the Secretariat.

A. United Nations system

International Atomic Energy Agency

5. IAEA continued to implement its three-year Nuclear Security Plan of Activities, as summarized below. Following the events of 11 September 2001, IAEA conducted a thorough review of its programmes relating to the prevention of acts of nuclear and radiological terrorism, and prepared a three-year comprehensive plan for upgrading nuclear security worldwide. The Plan of Activities comprised elements that contributed to the prevention of acts of terrorism and the detection of malicious acts and the response to such acts, and threats of such acts, should they occur. A proposal to continue the Plan for the period 2006-2009 will be submitted to the IAEA Board of Governors in August 2005.

Physical protection of nuclear material and nuclear facilities and assessment of vulnerability of nuclear facilities

6. These activities aimed to further enhance the capacity of Member States to protect nuclear facilities and nuclear material against nuclear terrorism. They also strengthened the capability of Member States to assess the vulnerability of nuclear facilities to possible malicious acts.

7. The goals of this activity area were achieved by the development of appropriate methodologies, and the provision of training, advisory services and other supporting activities to improve security arrangements at specific locations.

8. IAEA continued to advise States on strengthening the effectiveness of physical protection systems and planned four advisory missions for this purpose in 2005. Work on revising its guidelines on nuclear power plants, research and fuel cycle facilities is nearing completion.

9. A document on the development and maintenance of the design basis threat concept, relating to the physical protection of nuclear material and related facilities, was made available by IAEA as interim guidance. It was also recommended for use, with some adaptation, in the design and evaluation of security measures. IAEA held workshops in several States on the basic principles of the design basis threat concept.

10. Training and education were fundamental to the Agency's approach to enhancing physical protection systems in States. Training courses, workshops and seminars were held on six continents to raise awareness and provide practical experience in nuclear material accountancy and physical protection.

11. In response to concerns about the security of research reactors, IAEA developed an integrated plan for enhancing the security of research reactors.

Detection of malicious activities such as illicit trafficking

12. This activity ensured that effective measures were in place to detect and interdict incidents of theft, illicit possession and illicit trafficking of nuclear and other radioactive materials.

13. The IAEA International Nuclear Security Advisory Service undertook a number of advisory missions on individual illicit trafficking incidents in South America and Africa.

14. Integrated nuclear security support plans were central to the implementation of IAEA nuclear security activities. The support plans initiative began in 2003, focusing on direct contributions, with the purpose of bringing about targeted nuclear security enhancements in States. The establishment of the support plans mechanism systematized the Agency's interventions and yielded useful information about States' nuclear security status.

15. IAEA efforts also focused on increasing States' capabilities to monitor, detect, identify and respond to nuclear security incidents involving the detection of materials at borders and in transit. National and subregional training courses were designed to address the specific needs of various relevant State actors.

16. Work continued on the implementation of the coordinated research project entitled "Improvement of technical measures to detect and respond to illicit

trafficking of nuclear and other radioactive materials". So far, approximately 30 research contracts and agreements have been concluded with 18 States.

17. The Agency participated in an initiative to protect the 2004 summer Olympic Games from incidents of nuclear and radiological terrorism by evaluating the nuclear security system of Greece and providing advice to the competent authorities.

18. Efforts to provide guidelines and recommendations to the law enforcement community continued. The Agency's work on a handbook on illicit trafficking is nearing completion.

Strengthening of State systems for nuclear material accountancy and control

19. The Agency, recognizing that effective systems for nuclear material control and accountancy are essential for maintaining the security of nuclear material and combating illicit trafficking, helped Member States to ensure that all nuclear materials were properly accounted for. The IAEA Advisory Service on material accountancy and control provided assessment services to States and coordinated technical support programmes provided by member States. It also provided guidance on technical capabilities necessary for performing measurements and analysis.

Security of radioactive material other than nuclear material

20. IAEA sought to improve national security measures with respect to radioactive material and to ensure that significant uncontrolled radioactive sources were brought under regulatory control and properly secured.

21. It continued, for example, to participate in the Tripartite Initiative (IAEA, Russian Federation and United States) for the purpose of securing vulnerable, high-activity radioactive sources within the former Soviet Union, except in the Russian Federation. The Agency's radiation safety infrastructure appraisal mechanism was expanded in 2004 to encompass nuclear security aspects. The scope of the Code of Conduct for the Safety and Security of Radioactive Sources was expanded from radiological safety to include radiological security. IAEA also assisted States in the development of national strategies for regaining control over nuclear sources.

22. IAEA helped to establish three regional radiological security partnerships. The first, involving the United States and Australia, was to train regulators and users in South-East Asia. The second, between India and the United States, will provide training, instrumentation and technical support in India and beyond. A third partnership, initiated by South Africa, the United States and IAEA, was established specifically for sub-Saharan Africa.

Response to malicious acts or threats thereof

23. The goal of this activity was to prepare States and the Agency to respond effectively to acts of terrorism involving nuclear and other radioactive materials. This was achieved through training and technical support, the development of guidelines and enhancement of the Agency's own arrangements to respond to radiological emergencies.

24. IAEA intensified its efforts to strengthen emergency response measures in States and was implementing an ongoing training programme on such measures. It had also undertaken incident response missions in a number of States. Through

these efforts, IAEA considered that it could now also respond to nuclear security incidents outside the realm of nuclear accidents and emergencies.

Adherence to and implementation of international agreements, guidelines and recommendations

25. IAEA conducted outreach programmes to encourage Member States' adherence to, or implementation of international instruments relevant to enhanced protection against nuclear terrorism. The Agency continued to provide advice to States on developing national legislation on the safe and peaceful uses of nuclear energy. It also actively encouraged States to adhere to the Convention on the Physical Protection of Nuclear Material and convened a number of international conferences on the security of nuclear and other radioactive material.

26. Advisory missions of the Agency's international team of experts promoted adherence to and implementation of international instruments designed to enhance measures for protection against nuclear terrorism. Missions were undertaken to Africa, Central America and South-East Asia in 2005.

Enhanced programme coordination and information management

27. IAEA seeks, to ensure the coordination of its activities and those of Member States to strengthen nuclear security by providing consolidated information and fostering information exchange with other international organizations.

28. The implementation of the three-year Nuclear Security Plan of Activities has rested on extensive coordination and on information relating to States' needs. The knowledge gained from the Agency's nuclear security missions to States served as a platform for coordination across the spectrum of nuclear security work. The Agency has also been actively engaged in attracting new participants to its nuclear security cooperation programme. These participants include the Organization for Security and Cooperation in Europe, Interpol, the World Customs Organization and Europol.

29. The Plan of Activities for the next three years will build on work done and lessons learned over the past three years. Taking into account significant developments in the legal framework underpinning nuclear security, the programme will now focus on three principal areas, namely, assessing nuclear security needs, threat analysis and coordination; preventing malicious activities involving nuclear and radioactive materials; and detecting and responding to malicious activities.

International Civil Aviation Organization

30. The International Civil Aviation Organization (ICAO) focuses on preventing unlawful interference in civil aviation. The organization has no specific measures to prevent terrorists from acquiring weapons of mass destruction.

31. In the light of the continued threat to civil aviation posed by man-portable air defence systems, the ICAO Assembly in October 2004 adopted resolution A35-11 with a view to strengthening the aviation community's efforts to address this serious threat. The Assembly urged contracting States to participate actively in the development of an international instrument for the purpose of identifying and tracing illicit small arms and light weapons, as referred to in General Assembly resolution 58/241, and to apply the principles defined in the Elements for Export

Controls of Man-Portable Air Defence Systems of the Wassenaar Arrangement, if they had not yet participated in the Arrangement.

32. ICAO reported substantial progress in developing and implementing measures to enhance the security of travel documents. These included revised specifications for machine readable visas, that is, an updated ICAO "blueprint" for biometric identification in travel documents.

International Maritime Organization

33. The International Maritime Organization indicated that the special measures to enhance maritime security, adopted in the Framework of the International Convention for the Safety of Life at Sea, would contribute to the achievement of the objectives of General Assembly resolution 59/80. Further contributions would be made when the proposed amendments to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms and the Continental Shelf were adopted and entered into force.

United Nations Office on Drugs and Crime

34. The United Nations Office on Drugs and Crime stated that it was not currently engaged in matters directly related to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction. However, it had provided legal advisory services to Member States requesting assistance for the ratification and implementation of the 12 universal anti-terrorist instruments, including the Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Terrorist Bombings. Since 1992, the Office had supported 108 countries in ratifying and implementing those instruments. It had also provided legal technical assistance for the newly adopted International Convention for the Suppression of Acts of Nuclear Terrorism.

35. Additionally, the Office had contributed substantive inputs, for events addressing the threat of weapons of mass destruction. It had liased with IAEA on possible future joint activities and had regularly shared information.

B. Other international organizations

International Centre for Genetic Engineering and Biotechnology

36. The International Centre for Genetic Engineering and Biotechnology indicated that it was currently assisting the Secretariat in implementing the recommendations of the Policy Working Group on the United Nations and Terrorism, in particular its recommendation 21, which provided, inter alia, that relevant United Nations offices should be tasked with producing proposals to reinforce ethical norms, and that the creation of codes of conduct for scientists, through international and national scientific societies and institutions that taught sciences or engineering skills related to weapons technologies, should be encouraged.

37. The Centre had held extensive discussions for this purpose with representatives of science academies worldwide, which had resulted in the preparation of a draft document. The draft provided "building blocks" for possible codes of conduct, which would need to be adapted to specific national situations, taking into account relevant cultural, religious, social and economic considerations.

Interpol

38. Interpol stated that it had designated public safety and terrorism as a priority crime area and had taken action to support its member countries in their efforts to combat terrorism. This included capacity-building measures for the prevention of terrorist events and assistance in responding to or investigating terrorist attacks through incident response teams analytical support and the use of Interpol's databases.

39. Interpol had launched several projects to address the issue of terrorists acquiring weapons of mass destruction. Project Geiger analysed law enforcement and other data on the theft of radiological material; Project CRIT (Cooperative Radiological Instrument Transfer), aimed to enhance the capacity of the participating member countries (Croatia, Kazakhstan, Kyrgyzstan, Poland, Romania, Turkey and Uzbekistan) to fight global radiological terrorism through training of law enforcement personnel; a third project dealt with the prevention of bioterrorism.

40. Interpol had collected, stored, analysed and exchanged information on suspected individuals and groups involved in terrorist activities. It had created the Fusion Task Force to initiate a proactive, multidisciplinary approach to assisting member countries in terrorism-related investigations.

41. As part of its prevention and control programme against terrorism, Interpol had developed "orange notices" that served as timely warnings to law enforcement and security officials about threats that they might not normally detect.

North Atlantic Treaty Organization

42. The North Atlantic Treaty Organization (NATO) stated that its activities in the field of non-proliferation were covered by the Alliance Policy Framework of 1994, the principal goal of which was to prevent proliferation from occurring or, should it occur, to reverse it through diplomatic means.

43. The Alliance's response to terrorism would include full implementation of Security Council resolution 1373 (2001) and would continue to be multifaceted and comprehensive, comprising political, diplomatic, economic and, where necessary, military means.

44. In referring to the political dimension of its response, NATO cited its Istanbul summit in 2004, which had emphasized the importance of political non-proliferation instruments. The summit had also underlined the Alliance's commitment to various legal and informal instruments and agreed on an enhanced set of measures to prevent the acquisition of weapons of mass destruction by terrorists. The measures included improved intelligence sharing, greater ability to respond to requests for assistance in dealing with terrorist attacks, enhanced cooperation with partners and dialogue with countries in their region.

45. With regard to its defence response, NATO had held consultations and practical exercises with the Russian Federation to address the risks related to non-strategic weapons systems and the procedures to safeguard them. In view of the risk of non-State actors acquiring weapons delivery systems, NATO had undertaken technical work to respond to the proliferation of such systems and their potential use by terrorists. The Alliance had a maritime surveillance operation to impede the transport of weapons of mass destruction. Additionally, it had put in place five nuclear, biological and chemical defence initiatives that included risk assessment, analysis and training elements as well as a disease surveillance system.

46. NATO had developed a programme of work for its technological response to terrorism. The programme's objective was to develop systems to prevent various forms of terrorist attack. The "Security through Science" programme facilitated the exchange of information on the detection, verification, disarmament and conversion of weapons of mass destruction at the expert level among NATO members and partner countries.

47. To protect civilian populations in the event of contingencies involving weapons of mass destruction, the Alliance was ready to act as a clearing house to channel requests for assistance from allied or partner countries facing a major nuclear, biological or chemical incident. A civil emergency action plan was being implemented together with partners.

Organization of American States

48. The Organization of American States (OAS) provided a list of relevant resolutions on Inter-American support for the Comprehensive Nuclear-Test-Ban Treaty, the Programme of Action on Small Arms and the Inter-American Convention against the Illicit Manufacture of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials.

49. OAS was planning a regional meeting later this year in 2005 on the identification and protection of dangerous substances in laboratories, intended to help Member States better protect chemical, biological and nuclear materials from illicit diversion.

Organization for the Prohibition of Chemical Weapons

50. OPCW reported that it had established channels of communication to develop modalities of practical cooperation. It maintained contacts with other relevant regional, subregional and international organizations in the field of counter-terrorism, seeking opportunity to exchange information and expertise and to coordinate programme activities related to action against terrorism.

51. OPCW had indicated to a number of international organizations its readiness to cooperate with them in action against terrorism. It had appointed a focal point for issues relating to its contribution to the global fight against terrorism and had begun discussions with several international, regional and subregional organizations.

52. On 12 April 2005, at the invitation of the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004), OPCW had briefed the Committee in New York on improvements in the legislative and administrative

measures to implement the Chemical Weapons Convention. The Director-General had emphasized the importance of increased coordination and collaboration with the United Nations and other international organizations engaged in the implementation of the Convention.

53. OPCW had already provided advice and practical assistance to relevant international bodies and was supporting the worldwide study on strengthening international cooperation to combat illicit trafficking and criminal use of chemical, biological, radiological and nuclear substances and weapons, conducted by the United Nations Interregional Crime and Justice Research Institute (UNICRI).

Organization for Security and Cooperation in Europe

54. The Organization for Security and Cooperation in Europe (OSCE) referred to its 1994 decision on principles governing non-proliferation, in which participating States had agreed to prevent the spread of weapons of mass destruction. The OSCE Forum for Security Cooperation was considering updating the document to address changes in the international security environment.

55. In addition, OSCE participating States were examining the possibility of supporting the IAEA Code of Conduct on the Safety and Security of Radioactive Sources and the guidance on the import and export of radioactive substances.

56. In the OSCE Charter on Preventing and Combating Terrorism adopted in 2002, the OSCE participating States reaffirmed the importance of arms control, disarmament and non-proliferation in reducing the risk of terrorists gaining access to weapons and materials of mass destruction and their means of delivery. OSCE collaborated with various international organizations such as IAEA on nuclear security, and with UNICRI on the provision of capacity-building assistance to States on the threat posed by chemical, biological, radiological and nuclear materials.

57. In an effort to increase preparedness among participating States, OSCE had disseminated information, through a specially established counter-terrorism network, on managing the consequences of a chemical, biological, radiological or nuclear attack.